

IC 20-5-6

Chapter 6. Miscellaneous Provisions; Accounting Methods for School Lunch Program and Textbook Rental Program

IC 20-5-6-1

Construction of IC 20-5-1 through IC 20-5-6

Sec. 1. Except for IC 20-5-3-1, IC 20-5-3-3, and IC 20-5-3-4, the powers given each school corporation in IC 20-5-1 through IC 20-5-6 and the limitations on such powers set out in IC 20-5-1 through IC 20-5-6 shall not be construed to limit the power or authority of such governing body given by any other statute or rule.

(Formerly: Acts 1965, c.307, s.601.) As amended by P.L.2-1988, SEC.526.

IC 20-5-6-2

Supplemental effect of IC 20-5-1 through IC 20-5-6

Sec. 2. Except as provided in section 1 of this chapter, IC 20-5-1 through IC 20-5-6 shall be supplemental and in addition to all other statutes and rules. The powers given to any school corporation under IC 20-5-1 through IC 20-5-6 shall be in addition to those given by any other statute or rule and shall not be subject to any limitations set out therein, or to comply with the provisions thereof, except to the extent provided in IC 20-5-1 through IC 20-5-6 by specific reference to a designated statute or the statute or rule relating to a given subject, and all statutes in conflict with the provisions of IC 20-5-1 through IC 20-5-6 are hereby repealed to the extent of such conflict.

(Formerly: Acts 1965, c.307, s.602.) As amended by P.L.2-1988, SEC.527.

IC 20-5-6-3

Liberal construction

Sec. 3. IC 20-5-1 through IC 20-5-6 shall be liberally construed to permit the governing body of school corporations to conduct its affairs in a manner consistent with sound business practice to the ends that the authority of the governing body shall be clarified and that it shall be permitted to operate with the maximum efficiency consistent with accountability.

(Formerly: Acts 1965, c.307, s.603.) As amended by P.L.2-1988, SEC.528.

IC 20-5-6-4

Accounting methods for school lunch program

Sec. 4. A governing body in operating a school lunch program pursuant to IC 20-5-2-2(10) may use either of the following accounting methods:

- (1) It may supervise and control the program through the school corporation account, establishing a school lunch fund.
- (2) It may cause such program to be operated by the individual schools of the school corporation through the school corporation's extracurricular account or accounts in accordance

with IC 20-5-7.
(Formerly: Acts 1965, c.307, s.701; Acts 1967, c.82, s.8.) As amended by P.L.2-1988, SEC.529.

IC 20-5-6-5

Accounting methods for textbook rental program

Sec. 5. (a) A governing body in operating a textbook rental program pursuant to IC 20-5-2-2(11) may use either of the following accounting methods:

(1) It may supervise and control the program through the school corporation account, establishing a textbook rental fund.

(2) Where no textbooks have been purchased and no financial commitments or guarantees for such purchases have been made by the school corporation, the governing body may cause such program to be operated by the individual schools of the school corporation through the school corporation's extracurricular account or accounts in accordance with IC 20-5-7.

(b) Where the governing body determines that a hardship exists due to the inability of a student's family to purchase or rent textbooks taking into consideration the income of such family and the demands thereon, it may furnish textbooks to such students without charge, without reference to the application of any other statute or rule except IC 20-5-1 through IC 20-5-6.

(Formerly: Acts 1965, c.307, s.702; Acts 1967, c.82, s.9; Acts 1969, c.479, s.2.) As amended by P.L.2-1988, SEC.530.

IC 20-5-6-6

School lunch fund and textbook rental fund

Sec. 6. (1) Where a school lunch fund and a textbook rental fund are created in accordance with section 4 or 5 of this chapter, the receipts and expenditures therefrom for the program to which each relates shall be made to and from such fund without appropriation or the application of other statutes and rules relating to the budgets of municipal corporations.

(2) Where either the lunch program or textbook rental program are handled through the extracurricular account, the governing body of the school corporation shall approve the amount of the bond of the treasurer of the extracurricular account in an amount deemed by it sufficient to protect the account for all funds coming into the hands of the treasurer of such account.

(Formerly: Acts 1965, c.307, s.703; Acts 1967, c.82, s.10.) As amended by P.L.2-1988, SEC.531.

IC 20-5-6-6.5

Regional school study councils; authority to join

Sec. 6.5. In furtherance of the purposes of IC 20-5-2-1.2 and pursuant to the powers of IC 20-5-2-2(19), the governing body of any school corporation may join and associate with groups of other school corporations within Indiana in regional school study councils to examine common school problems and exchange educational

information of mutual benefit, and dues to such study councils shall be paid by the school corporation from the general fund.

(Formerly: Acts 1965, c.307, s.704; Acts 1969, c.479, s.3.) As amended by P.L.2-1988, SEC.532; P.L.1-1991, SEC.134.

IC 20-5-6-6.6

Distribution of payroll based on contractual and salary schedule commitments

Sec. 6.6. A governing body pursuant to its powers to fix and pay the salaries and compensation of employees of the school corporation and to contract for services under IC 20-5-2-2(7) may distribute payroll based on contractual and salary schedule commitments in lieu of payroll estimates approved in advance by the governing body.

(Formerly: Acts 1965, c.307, s.705; Acts 1969, c.479, s.4.) As amended by P.L.2-1988, SEC.533.

IC 20-5-6-7

Use of school facilities; fees

Sec. 7. The governing body of any school corporation may permit any of its facilities to be used by any person in situations and at times which do not interfere with use of the facility for school purposes, as for example:

- (1) use of a swimming pool or other athletic facility; or
- (2) use of classrooms or other space in a school for purposes of school age childcare;

and may incur any necessary expense in the use or operation of the facility. The governing body may set up and charge a schedule of fees for admission to or use of any facility outside the school corporation's regular school program. All such fees shall be receipted to the general fund or to the special school fund of the school corporation.

(Formerly: Acts 1965, c.307, s.706; Acts 1967, c.82, s.11.) As amended by P.L.197-1985, SEC.3.

IC 20-5-6-8 Repealed

(Repealed by P.L.1-1989, SEC.75.)

IC 20-5-6-9

Donation of proceeds from riverboat gaming

Sec. 9. (a) As used in this section, "public school endowment corporation" means a corporation that is:

- (1) organized under the Indiana Nonprofit Corporation Act of 1991 (IC 23-17);
- (2) organized exclusively for educational, charitable, and scientific purposes; and
- (3) formed for the purpose of providing educational resources to:
 - (A) a particular school corporation or school corporations;
 - or
 - (B) the schools in a particular geographic area.

(b) As used in this section, "proceeds from riverboat gaming" means tax revenue received by a political subdivision under IC 4-33-12-6, IC 4-33-13, or an agreement to share a city's or county's part of the tax revenue.

(c) As used in this section, "political subdivision" has the meaning set forth in IC 36-1-2-13.

(d) A political subdivision may donate proceeds from riverboat gaming to a public school endowment corporation under the following conditions:

(1) The public school endowment corporation retains all rights to the donation, including investment powers.

(2) The public school endowment corporation agrees to return the donation to the political subdivision if the corporation:

(A) loses the corporation's status as a public charitable organization;

(B) is liquidated; or

(C) violates any condition of the endowment set by the fiscal body of the political subdivision.

(e) A public school endowment corporation may distribute both principal and income.

As added by P.L.17-2000, SEC.1.

IC 20-5-6-10

Donations to community foundations

Sec. 10. (a) The governing body of a school corporation may donate the proceeds of a grant, a gift, a donation, an endowment, a bequest, a trust, or an agreement to share tax revenue received by a city or county under IC 4-33-12-6 or IC 4-33-13, or other funds not generated from taxes levied by the school corporation, to a foundation under the following conditions:

(1) The foundation is a charitable nonprofit community foundation.

(2) The foundation retains all rights to the donation, including investment powers, except as provided in subdivision (3).

(3) The foundation agrees to do the following:

(A) Hold the donation as a permanent endowment.

(B) Distribute the income from the donation only to the school corporation as directed by resolution of the governing body of the school corporation.

(C) Return the donation to the general fund of the school corporation if the foundation:

(i) loses the foundation's status as a public charitable organization;

(ii) is liquidated; or

(iii) violates any condition of the endowment set by the governing body of the school corporation.

(b) A school corporation may use income received under this section from a community foundation only for purposes of the school corporation.

As added by P.L.45-2002, SEC.1.

